

28. Delineate a Class II bikeway along the project's frontage on Olive Ranch Road pursuant to the Placer County Bikeways Master Plan. The location, width, alignment, and surfacing of the bikeway shall be subject to DPW/DRC review and approval prior to the approval of Improvement Plans. (DPW)

29. Prior to final acceptance of the subdivision improvements by the County, the existing temporary access gate and "No Outlet" sign on Waterford Drive shall be removed at the developer's expense. Structures and features within the County right of way will be restored, as required by DPW. A note specifying this condition shall be included on the Improvement Plans. (DPW)

30. Construction vehicles' access during construction of this project shall be limited to the following location(s): Berg Street. Temporary construction access onto County roadways shall be shown on project Improvement/Grading Plans and shall be improved to the satisfaction of DPW. (MM)(DPW)

31. Prior to Improvement Plan approval, the applicant shall obtain from the Department of Public Works an encroachment permit for locating the 6' wide decomposed granite trail within the Berg Street right-of-way and, if applicable, for doing any work, including maintenance, within the County's right-of-way. Said permit shall be in recordable form and hold Placer County harmless from any damage resulting from the operation and maintenance of this pathway.

32. Construct the on-site road connection to Waterford Drive to meet existing offsite pavement of Waterford Drive as shown on the Tentative Map, and remove the existing barricade on Waterford Drive at the property boundary line. (DPW)

33. Reconstruct all existing driveways on Berg Street along the portion of the road that is to be reconstructed as shown on the Tentative Map (Preliminary Grading Plans) to a Plate 27-2 standard. (DPW)

34. Construct new culvert(s) under and across the full width of Olive Ranch Road and Berg Street where existing culverts are inadequate to handle existing flows. The culvert(s) shall be designed in accordance with the Placer County Stormwater Management Manual. Existing culverts shall be constructed as a part of the project's frontage improvement requirement to construct one half of the road section for Olive Ranch Road and the full road section for Berg Street. (DPW)

PUBLIC SERVICES

35. Provide to DRC "will-serve" letters from the following public service providers prior to Improvement Plan and Final Map approvals, as required:

- A) PG&E
- B) San Juan Suburban Water District
- C) Roseville Telephone Company
- D) Placer County SMD#2
- E) Auburn Placer Disposal Service

JUNE 2005 – BOS

MARCH 2008 – PC

MAY 2015 PC

If such "will serve" letters were obtained as a part of the environmental review process, and are still valid, they shall not be required again. (DPW)

36. Prior to the approval of the Improvement Plans, provide the DRC with proof of notification (in the form of a written notice or letter) of the proposed project to:

- A) Roseville Joint Union High School District
- B) Eureka Union School District
- C) The Placer County Sheriff's Office (DPW)

37. Create a County Service Area (CSA) Zone of Benefit or annex to an existing CSA Zone of Benefit, if appropriate. The CSA will be established concurrent with and on the Final Map. In the event that the CSA is abolished by the Board of Supervisors, or the CSA is otherwise not able to function, the homeowner's association shall be responsible for all services previously provided by the CSA. The CSA shall provide the following services: (DFS)

- A) Street lighting
- B) Road maintenance
- C) Storm drainage maintenance for facilities located within public easements excluding structural stormwater quality enhancement facilities (BMP's). (MM)
- D) **ADVISORY COMMENT:** Maintenance of detention facilities by the homeowners' association will be required. (MM)
- E) Collection of fees for regional storm drainage facilities and maintenance pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance", including any future revisions thereof.

38. Prior to the approval of the Improvement Plans, submit to Environmental Health Services a "will-serve" letter from SMD 2 indicating that the district can and will provide sewerage service to the project. Connection of each lot in this project to sanitary sewers is required. (EHS)

39. Prior to the approval of the Improvement Plans, submit to Environmental Health Services, for review and approval, a "will-serve" letter or a "letter of availability" from San Juan, Auburn Placer District for domestic water service. The applicant shall connect the project to this treated domestic water supply. (EHS)

GENERAL DEDICATION / EASEMENTS

40. Provide the following easements/dedications on the Improvement Plans and Final Map to the satisfaction of the DPW and DRC: (DPW)

- A) Dedicate to Placer County a 40'-wide highway easement (Ref. Chapter 16, Placer County Code) along on-site subdivision roadways for road and utility purposes.

JUNE 2005 – BOS

MARCH 2008 – PC

MAY 2015 PC

- ADVISORY COMMENT:** After completion of improvements, said roads may be accepted into the County's maintained mileage system. (DPW)
- B) Dedicate to Placer County one-half of a 60'-wide highway easement (Ref. Chapter 12, Article 12.08 (formerly Chapter 4, Subchapter 5, Placer County Code) where the project fronts Berg Street, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the Transportation Division of DPW. (DPW)
 - C) Dedicate to Placer County one-half of a 60'-wide highway easement (Ref. Chapter 12, Article 12.08 (formerly Chapter 4, Subchapter 5, Placer County Code), where the project fronts Olive Ranch Road, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the Transportation Division of DPW. Dedicate to Placer County one-half of an 84'-wide highway easement along the portion of Olive Ranch Road as measured from the centerline intersection of Berg Street and Olive Ranch Road to a point approximately 220' west of this intersection, or additional right-of-way as may be needed for auxiliary traffic lanes, as approved by the Transportation Division of DPW. (DPW)
 - D) Public utility easements as required by the serving utilities, excluding wetland preservation easements (WPE). (DPW)
 - E) Dedicate 12.5' multi-purpose easements adjacent to all highway easements. (DPW)
 - F) Slope easements for cuts and fills outside the highway easement. (DPW)
 - G) Drainage easements as appropriate. (DPW)
 - H) Designate a "no access" strip along the project frontage of Berg Street and Olive Ranch Road, as well as along the radius of the entrance to Berg Street to a minimum of 40' on both sides of the on-site road. (DPW)
 - I)MM Dedicate to the HOA a 25 foot landscape easement, along the east property lines of all residential lots along Berg Street. Landscaping and irrigation within this easement shall be installed in conjunction with the landscaping along Berg Street, prior to the acceptance of improvements by Placer County. Note: other landscape easements may be required as necessary (i.e., on neighboring properties) as deemed appropriate by the DRC. Any changes to plant material, irrigation, and any landscape features within this easement must first be reviewed and approved by the DRC. (CR) (DPW/PD)
 - J) The leach field maintenance easement, and associated leach lines, located near the southeast area of Open Space Lot "F", adjacent to APN #048-081-036, shall be abandoned prior to the acceptance of improvements for the entire subdivision by Placer County. In addition, the applicant shall provide a sewer line and residential hook up, to APN#048-081-036, to be inspected and approved by Placer County, prior to the acceptance of improvements for the subdivision.
 - K)MM Dedicate Historical/Cultural Preservation Easements (H/CPE) to the homeowners' association. Said easements shall be for the protection of any portion of the project which is determined to be historically and/or culturally significant by the DRC. Such easements shall be established along the "developmental limits of work" line for those lots so indicated on the approved Tentative Map. Specific provisions regarding the easement restrictions shall be contained within the project CC&Rs, and may include a requirement to provide

JUNE 2005 – BOS
MARCH 2008 – PC
MAY 2015 PC

access to the sites for historical research, monitoring, and/or maintenance, as deemed appropriate by the DRC. (PD)

VEGETATION AND OTHER SENSITIVE NATURAL AREAS

41. MM A Revegetation Plan, prepared by a licensed landscape architect or similar professional, shall be submitted and approved by the DRC which includes the location, size and irrigation requirements for mitigation trees.

Said Plan shall be submitted to the DRC prior to the submittal of Improvement Plans and the mitigation trees shall be installed to the satisfaction of the County prior to the County's acceptance of the subdivision's improvements. All landscaping shall consist of native trees with a water-conserving drip irrigation system to be installed by the developer prior to acceptance of the subdivision's improvements. The homeowners' association shall be responsible for the maintenance of said revegetation and irrigation.

A vegetation monitoring program report, prepared by a licensed landscaping architect, shall be submitted annually to the Planning Department for a 5-year period. Said report will define areas that have been disturbed/replanted with a description of the seeding and/or planting materials, and status of re-established vegetation, including survival rate. Any corrective actions required are the responsibility of the homeowners' association.

A letter of credit or cash deposit in the amount of 125% of the accepted proposal shall be deposited with the Placer County Planning Department to assure performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC. Violation of any components of the approved MMIP may result in enforcement activity per Placer County Environmental Review Ordinance Article 18.28.080, formerly Section 31.870, of the Placer County Code. An agreement between the applicant and the County shall be prepared which meets DRC approval that allows the County use of the deposit to assure performance of the MMIP in the event the homeowners' association reneges. (CR) (PD/DFS)

42. MM Provide the DRC with a tree survey and arborist report (by an ISA Certified Arborist) depicting the exact location of all trees 6" dbh (diameter at breast height) or greater, or multiple trunk trees with an aggregate diameter of 10" dbh or greater, within 50' of any grading, road improvements, underground utilities, driveways, building envelopes etc., and all trees 18" dbh or greater, located on the entire site, and any trees disturbed from off-site improvements (*i.e.*, road improvements, underground utilities, etc.). The tree survey shall include the sizes (diameter at 4' above ground), species of trees, spot elevations, and approximate driplines. Trees to be saved, or removed shall be shown on the survey, and superimposed over the site/grading plan, as well as all proposed improvements, including any underground utilities. The survey report shall be reviewed and approved by the DRC prior to the submittal of Improvement Plans or grading plans.

If the County Planning Department determines that an update of the prior report is necessary, the applicant shall be notified in advance of approving the Improvement Plans for the project. (CR) (PD)

JUNE 2005 – BOS
MARCH 2008 – PC
MAY 2015 PC

Advisory Comment: Trees may not be disturbed or removed prior to the approval of Improvement Plans, unless otherwise approved by the DRC.

43. MM Trees identified for removal, and/or trees with disturbance to their driplines, including any off site trees removed or impacted as a result of development activities, shall be replaced with comparable species on-site, in an area to be reviewed and approved by the DRC, as follows: For on site trees: one, 15 gallon tree shall be planted for each tree removed or impacted. For off site trees: one, 24" box native tree shall be planted for each tree removed or impacted. Replacement trees shall be planted in Open Space lots for trees removed or impacted on site. The location of off site tree replacement shall be determined by the DRC and may include tree replacement on neighboring lots. Both on and off site replacement trees must be installed by the applicant and inspected and approved by the DRC prior to the acceptance of improvements by DPW. At its discretion, the DRC may establish an alternate deadline for installation of mitigation replacement trees if weather or other circumstances prevent the completion of this requirement. **(CR)**

Advisory Comment: Existing olive trees shall be incorporated into the project design along exterior road frontages, and within landscaped areas and Open Space lots, as approved by the DRC. Olive tree retention on individual lots is encouraged.

44. MM Permanent Protective Fencing: The applicant shall install permanent fencing, as may be approved by the DRC, with upright posts embedded in concrete along and around all Open Space Lots, and around all detention facilities to the satisfaction of the DRC. Such fencing shall provide a physical demarcation to future homeowners of the location of protected easement areas or Open Space lots as required by other conditions of this project. Such fencing shall be shown on the Information Sheet recorded concurrently with the Final Map as well as on the project Improvement Plans. **(CR) (PD)**

45. MM Temporary Construction Fencing: The applicant shall install a 4' tall, brightly colored (usually yellow or orange), synthetic mesh material fence (or an equivalent approved by the DRC) at the following locations prior to any construction equipment being moved on-site or any construction activities taking place:

1) At the limits of construction, outside the dripline of all trees to be preserved (if applicable) that are 6" dbh (diameter at breast height), or 10" dbh aggregate for multi-trunk trees, within 50' of any grading, road improvements, underground utilities, or other development activity, or as otherwise shown on the Tentative Map;

2) Around any and all "special protection" areas as discussed in the project's environmental review documents (ie cultural resources).

3) Around all Open Space lots.

No development of this site, including grading, will be allowed until this condition is satisfied. Any encroachment within these areas, including driplines of trees to be saved, must first be approved by the DRC. Temporary fencing shall not be altered during construction without written approval of the DRC. No grading, clearing, storage of equipment or machinery, etc., may occur until a representative of the DRC has

JUNE 2005 – BOS

MARCH 2008 – PC

MAY 2015 PC

inspected and approved all temporary construction fencing. This includes both on-site and off-site improvements. Efforts should be made to save trees where feasible. This may include the use of retaining walls, planter islands, pavers, or other techniques commonly associated with tree preservation.

Said fencing and a note reflecting this Condition shall be shown on the Improvement Plans. (CR) (PD/DPW)

46. MM All Open Space Lots, as shown on the Tentative Map, shall be for the protection of wetland habitats and shall be established over an area with a minimum of 50' from the edge of all delineated wetlands, (or from the edge of riparian vegetation, whichever is greater), as indicated on the approved Tentative Map. All Open Space Lots shall be defined and monumented as a common area lot to be owned and maintained (including the removal of unauthorized debris) by the homeowners' association. The purpose of the Open Space Lots is to protect the wetland and riparian corridors on site and associated vegetation. A note shall be provided in the Development Notebook and on the Final Map prohibiting any disturbances within Open Space Lots, including the placement of fill materials, lawn clippings, oil, chemicals, or trash of any kind within the easements; nor any grading or clearing activities, vegetation removal, or domestic landscaping and irrigation, including accessory structures, swimming pools, spas, and fencing (excepting that specifically required by these conditions). Trimming or other maintenance activity is allowed only for the benefit of fish, wildlife, fire protection, and water quality resources, and for the elimination of diseased growth, or as otherwise required by the fire department, and only with the written consent of DRC. A provision for the enforcement of this restriction by the homeowners' association shall be provided. (CR) (PD/DPW)

47. MM In order to mitigate wetland/riparian impacts for both jurisdictional and non-jurisdictional wetlands, the applicant or agent shall provide mitigation as follows: Provide written evidence that compensatory habitat has been established through the purchase of mitigation credits at a County-qualified wetland mitigation bank. The amount of money required to purchase credits shall be equal to the amount necessary to replace wetland or riparian habitat acreage and resource values including compensation for temporal loss. Evidence of payment, which describes the amount and type of habitat purchased at the bank site, must be provided to the County prior to issuance of Improvement Plans or Building Permits which would result in the degradation or loss of the habitat. The amount to be paid shall be the fee in effect at the time the Final Map is recorded is exercised (for guidance, if the Map were recorded today, the fee would be \$49,000 per acre for permanent and seasonal wetlands and/or \$70,000 per acre for vernal pools).

48. MM Where off-site mitigation has been determined to be acceptable for compensation of Elderberry Shrub impacts, the applicant or agent shall provide mitigation as follows: Provide written evidence that the National Fish & Wildlife Agency has approved the proposed mitigation, which may include, but not limited to: compensatory habitat and / or transplanting of shrubs at a County-qualified mitigation bank. Evidence of satisfying this requirement, which describes the amount and type of habitat mitigated, must be provided to the County prior to issuance of Improvement Plans.

FEES

JUNE 2005 – BOS
MARCH 2008 – PC
MAY 2015 PC

49. Pursuant to County Code Sections 15.34.010, 16.08.100 and/or 17.54.100 (D), a fee must be paid to Placer County for the development of park and recreation facilities. The fee to be paid is the fee in effect at final map recordation/building permit issuance. (For reference, the fee currently is \$595 per lot to be paid at final map and \$3,150 per unit due when a building permit is issued.) (PD)

Pursuant to Article 17.54.100(D) of the Placer County Code, this project's Planned Development status requires that it provide onsite recreation facilities. The applicant has requested that the Planning Commission make a finding that it is not feasible to provide those recreation facilities, and that the project is allowed to pay an additional park fee in lieu of those facilities. (For reference, the current fee for this option would be \$1,190 at final map and \$6,300 per unit at building permit issuance.) (PD/DFS)

50. Pursuant to Section 21089 (b) of the California Public Resources Code and Section 711.4 et. seq. of the Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified fees are paid. The fees required are \$880 for projects with Environmental Impact Reports and \$1,280 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination is not operative, vested or final and shall not be accepted by the County Clerk.

NOTE: The above fee shall be submitted to the Planning Department within 5 days of final project approval. (SR) (PD)

51. **ADVISORY COMMENT:** Building Permits associated with this project shall be subject to payment of Placer County Facility Impact Fees (Ordinance #47-69-B, Article 2.120.010, formerly Chapter 38, of the *Placer County Code*) (CR) (BD)

52. **MM** This project is subject to the one-time payment of drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Article 15.32, formerly Chapter 4, Subchapter 20, Placer County Code.) The current estimated development fee is \$744 per single family residence, payable to the Engineering and Surveying Department prior to each Building Permit issuance. The actual fee shall be that in effect at the time payment occurs. (MM)(DPW)

53. **MM ADVISORY COMMENT:** This project is subject to payment of annual drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Article 15.32, formerly Chapter 4, Subchapter 20, Placer County Code). Prior to Building Permit issuance, each applicant shall cause each subject parcel to become a participant in the existing Dry Creek Watershed County Service Area for purposes of collecting these annual assessments. The current estimated annual fee is \$117 per single family residence. (MM)(DPW)

54. **MM** This project will be subject to the payment of traffic impact fees that are in effect in this area (Granite Bay Fee District), pursuant to applicable Ordinances and Resolutions. The applicant is

JUNE 2005 – BOS
MARCH 2008 – PC

MAY 2015 PC

notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County DPW prior to issuance of any Building Permits for the project:

- A) County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code
- B) South Placer Regional Transportation Authority (SPRTA).
- C) Placer County/City of Roseville Joint Fee

The current combined estimated fee is \$7,373 per dwelling unit. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs. **(MM)(ESD)**

ENVIRONMENTAL HEALTH

55. **ADVISORY COMMENT:** Back flow prevention devices shall be provided by the applicant or contractor on domestic water service lines as required by the water purveyor. **(EHS)**

56. The owner or occupant of each residence in this project shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. The homeowners' association shall be responsible for refuse collection service to all non-residential facilities within the project on the same basis. **(EHS)**

57. Construction noise emanating from any construction activities for which a Grading or Building Permit is required is prohibited on Sundays and Federal Holidays, and shall only occur:

- a) Monday through Friday, 6:00 am to 8:00 pm (during daylight savings)
- b) Monday through Friday, 7:00 am to 8:00 pm (during standard time)
- c) Saturdays, 8:00 am to 6:00 pm

In addition, temporary signs (4 foot x 4 foot) shall be located throughout the project, as determined by the DRC, at key intersections depicting the above construction hour limitations. Said signs shall include a toll free public information phone number where surrounding residents can report violations and the developer/builder will respond and resolve noise violations. This condition shall be included on the Improvement Plans and shown in the development notebook.

ADVISORY COMMENT: Essentially, quiet activities, which do not involve heavy equipment or machinery, may occur at other times. Work occurring within an enclosed building, such as a house under construction with the roof and siding completed, may occur at other times as well.

The Planning Director is authorized to waive the time frames based on special circumstances, such as adverse weather conditions. **(EHS/PD)**

58. Properly destroy any existing well(s) and septic system(s) located within the project site. Said destruction shall be shown on the Improvement Plans.

59. The project shall conform to the Noise Element of the Granite Bay Community Plan and the environmental document.

JUNE 2005 – BOS

MARCH 2008 – PC

MAY 2015 PC

60. Surface bodies of water and storm drains in protected open spaces shall be maintained to reduce potential or actual mosquito breeding habitat. Access for inspection and vector control shall be provided to the Placer Mosquito Abatement District for each open space parcel. The protected open space management plan shall be approved by the Placer Mosquito Abatement District, US Army Corps of Engineers, and the County DRC prior to Improvement Plans. (MM)(EHS)

SPECIAL DISTRICTS

61. The Developer shall provide the following easements to allow for sewer extensions and utility vehicle access to serve the project as determined by the Special Districts Division:

- a. 10-foot minimum public sewer easement along the west property line to serve APN 048-081-002.
- b. 10-foot minimum public sewer easement along Lot F to serve parcel #048-081-036
- c. Sufficient access easements to meet County standards for utility vehicle access to all manholes.

62. The Developer shall provide paved access to all sewer manholes with a paved section of 3-inch AC/8-inch AB or a design based on H-20 loading.

63. The Developer shall extend at their expense the gravity sewer within Street "A" to the eastern end of Berg Street or Olive Ranch Road at sufficient depth to allow for gravity service for the neighboring properties along the east side of Berg Street.

Justification – Sec. 6.03 (4) Future Extensions of the Placer County Land Development Manual states, "Whenever an area outside a tract can be logically served by future extension of a tract sewer, the tract sewer shall extend as near as practicable to the tract boundary."

64. The Developer shall extend the gravity sewer along Berg Street to provide gravity service to the maximum number of parcels as determined by the Facility Services Department. The Developer will be eligible for a reimbursement agreement to recapture costs from those parcels that connect to the sewer within thirty-five years, at the prime rate plus 2% recalculated every six months of the execution of the agreement between the County and the Developer. Property owners may enter into a private reimbursement agreement with Developer and thus not be subject to the County reimbursement agreement.

Justification – The Special Districts Division's goal is to provide gravity sewer service to adjoining parcels and to extend the public sewer collection system wherever practicable. Several Berg Street property owners have expressed an interest in public sewer. With the proposed reconstruction of Berg Street, it is prudent to install the underground utilities with these road improvements. County has met separately both with the Developer and the residents of Berg Street. County is agreeable to a thirty-five year term on a reimbursement with the Developer with a cost of living index. The Developer is

JUNE 2005 – BOS

MARCH 2008 – PC

MAY 2015 PC

also proposing a private reimbursement agreement for those property owners who are willing to opt to the terms of that agreement.

MISCELLANEOUS CONDITIONS

65. Approval of this Tentative Map is subject to the approval of the Board of Supervisors of a Rezoning to RS B40, PD 1.1 and RS B20, PD 1.1, or a similar zone district which permits the project's proposed density and design. **(PD)**

66. No lot shall be divided by a tax district boundary. **(CR) (PD)**

67. Prior to submittal of the Final Subdivision Map, the applicant shall submit to the satisfaction of the DRC a Revised Tentative Map which reflects any changes to the design and/or conditions of approval made during the public hearing process. **(PD/DPW/EHS)**

68. A gated entrance, or the appearance of a gated entry (i.e., "guard house") is not allowed. Any future gated entry feature proposed by the applicant shall be returned to the Planning Commission for approval of a modification of the subdivision. **(CR) (PD)**

69. A model home sales use has been approved as a part of this project. These facilities shall not be allowed on the project site until all improvements have been accepted by the county, a Final Map has been recorded (for a project "phase", or the entire project), and the proposed project's locations(s), design, proposed parking, etc., have been reviewed and approved by the DRC. The temporary model home parking lot(s) shall be constructed as an all-weather surface capable of supporting a 40,000 pound fire truck. The temporary model home sales office shall be used solely for the first sale of homes within the project. **(PD)**

70. Model home sales are subject to review and approval of the DRC. Such a review shall be required prior to the issuance of a building permit and shall include, but is not limited to: building colors and materials, landscaping, parking and circulation, lighting, signage, etc. **(PD)**

71. No on-site or off-site flags/pennants are permitted in connection with the model home sales use. **(CR) (PD)**

72. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer (County), the County Planning Commission, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a court, arising out of or relating to the processing and/or approval by the County of Placer of that certain development project known as The Grove at Granite Bay. The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time,

JUNE 2005 – BOS

MARCH 2008 – PC

MAY 2015 PC

and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. **(CC)**

CONDITIONS, COVENANTS, & RESTRICTIONS

73. Prior to the filing of the Final Map, Conditions, Covenants, and Restrictions (CC&Rs) shall be prepared and submitted to and approved by the DPW, County Counsel, and other appropriate County Departments and shall contain provisions/notifications related to those issues raised in the conditions of approval for the subdivision. **(CR) (PD/DPW/EHS/APCD)**

A. The applicants shall create a homeowner's association with certain specified duties/responsibilities. **(CR) (DPW)**

B. None of the provisions required by this condition of approval shall be altered without the prior written consent of Placer County. **(CR) (PD/DPW/EHS/APCD)**

NOTIFICATION TO FUTURE BUYERS

74. MM Notification to future homeowners and builders that removal or disturbance of oak trees 6" dbh or greater or multiple trunk trees with an aggregate diameter of 10" dbh or greater and not previously approved for removal by Placer County is prohibited unless prior approval is received by the Placer County Development Review Committee. A provision for the enforcement of this restriction by the Homeowners' Association shall be provided. **(PD)**

75. Notification to future homeowners/builders that removal or disturbance of native California trees 6" dbh or greater, if single trunk, or 10" aggregate for multiple trunk, if located within any building setback areas, or areas outside of a recorded building envelope, or other areas not previously approved for tree removal, requires DRC approval. **(PD)**

ADVISORY COMMENT: Lots approved with this subdivision are also subject to the provisions of the Placer County Tree Preservation Ordinance. **(PD)**

76. MM Notification to future owners and builders that permanent protective fencing located alongside all Open Space Lots shall not be removed or altered without the express written permission of the homeowners' association and the DRC. **(CR) (PD)**

JUNE 2005 – BOS
MARCH 2008 – PC
MAY 2015 PC

77. MM Notification to future owners of lots which have the permanent protective fencing installed adjacent to Open Space Lots, that no structure shall be located closer than 5 feet to said fencing. (CR) (PD)

78. MM Notification to all future owners that all outdoor lighting shall be shielded such that direct rays from the lamp are directed downward and do not cross property lines. Motion sensor lighting shall be encouraged to minimize night sky light pollution. (CR) (PD)

79. MM Notification to all lot owners of the requirements to submit all building plans and site/grading plans to the homeowners' association Architectural Review Committee prior to submittal to Placer County for Building Permits. Building plans shall comply with architectural guidelines, building setbacks, height restrictions, building coverage, grading restrictions, no pad grading, and other conditions of approval. Efforts should be made to locate residences away from sensitive areas such as trees, rock outcrops, etc. (PD)

80. Notification to the future owners of affected lots that are located adjacent to Open Space Lots, regarding the provision of an access easement to the homeowners' association for maintaining fencing around the perimeter of such lots. A minimum 24-hour notification to affected homeowners shall be provided prior to any work by the homeowners' association. (CR) (PD)

81. Notification to all future lot owners that minimum setbacks for all structures shall be as follows, unless a greater setback is indicated within the Development Notebook that is described elsewhere in these conditions of approval: A) Front – 55' front the centerline of the traveled way (except for Berg Street frontages which shall have a front setback of 50 feet from edge of easement for structures, and a front setback of 25 feet from edge of easement for non-habitable privacy fencing, walls, and arbors.) ~~A) Front – 55' from the centerline of the traveled way, (except for Berg Street frontages, which shall have a front setback of 50 feet from edge of easement);~~ B) Side - 15'; C) Rear - 10'. Setbacks for pools and related equipment areas are defined in Placer County Code, Article 17.54.140, formerly Zoning Ordinance Section 10.082 B (5). (CR) (PD)

82. Notification to the future owners of Lots 1, 8, 9, 24, 25, and 32, that solid fencing not to exceed 35% of any lot width is permitted within the 50 foot front setback area, but not within the landscape easement area, along Berg Street. ~~Notification to future owners of Lots 1, 8, 9, 24, 25, and 32, that solid fencing of any type is prohibited within the "front" setback along the Berg Street.~~ (MM) (PD)

83. Notification to all future lot owners of a listing of drought tolerant plant materials and information regarding drip irrigation systems designed to conserve water. (CR) (PD)

84. Notification to all future lot owners of the tree preservation and maintenance techniques contained in the publication entitled *Living Among the Oaks* by the University of California Cooperative Extension. A copy of this publication shall be distributed by the developer or authorized agent to all new

JUNE 2005 – BOS
MARCH 2008 – PC
MAY 2015 PC

property owners at the time of sale of the property. Irrigation under the driplines of oak trees, including on individual lots, is prohibited, except as otherwise described within this publication. (PD)

85. Notification to the future owners that only privacy structures not to exceed five feet in height and less than 35% of any lot width may be installed inside the 50-foot front setback area along Berg Street but not within the 25-foot landscape easement on Lots 1, 8, 9, 24, 25, and 32. ~~Notification to the future owners that no structures, including solid fencing over 3' in height, may be installed in front setback areas, including any property frontages along roadways.~~ (CR) (PD)

86. Each new lot owner shall be provided with a copy of the Development Notebook page(s) applicable to the subject lot, including plot plans and all use restrictions. (CR) (PD)

87. No storage of boats, trailers, recreational vehicles, campers, or inoperable vehicles within the project except to the side or rear of a residence, and screened from street view. (CR) (PD)

88.MM Notification to future buyers, tenants, and/or occupants of parcels with Historical / Cultural Resource Easements that no development activity of any kind, including but not limited to: grading, installation of accessory structures, swimming pools, spas, fencing, patios, decking, etc, may occur within said easement and that any natural features within said easement (i.e., rock outcrop) may not be disturbed. (PD)

89. Notify future lot owners that an on-site road will connect to Waterford Drive as shown on the Tentative Map and will be a through connection to the Douglas Ranch Unit No 2 subdivision. (CR) (DPW)

90. Notification to future buyers of Lots 1, 8, 9, 24, 25, and 32, that a 25 foot landscape easement, dedicated to the HOA, is located along the eastern property boundary, and that any changes to the county-approved landscape plans for these areas are not allowed without the review and approval of the DRC.

DEVELOPMENT STANDARDS

91. The Development Standards for this project are as follows:

92. Pursuant to the Zoning Ordinance, setbacks apply to all structures and accessory structures. Setbacks for swimming pools/spas/pool equipment, etc. shall conform to Placer County Code, Article 17.54.140, formerly Zoning Ordinance Section 10.082 B (5). (CR) (PD)

93. The structural setbacks for this Planned Development are as follows:

A)A) — Front (street) – 55' from the centerline of the travelled way (except for Lots 10, 11, and 12 which shall have a front setback of 45' from the centerline of travelled way or 25 feet from the front property line; and except for Lots 1, 8, 9, 24, 25, and 32 adjacent to Berg Street, which

JUNE 2005 – BOS

MARCH 2008 – PC

MAY 2015 PC

shall have a structural setback of 50 feet from the property line, and a 25-foot setback for non-habitable privacy structures, not to exceed 35% of the lot ~~Front (street) — 55' from the center of the travelled way (except for lots adjacent to Berg Street, which shall have a setback of 50 feet from the property line.~~

B) Sides – 15'

C) Rear – 10'

D) Accessory structures/pools/spas per Zoning Ordinance Section 10.082

94. The maximum building height for this Planned Development is 36 feet. (PD)

95. The maximum building coverage per residential lot in this Planned Development is 40%. (PD)

96. Prior to recordation of the Final Map(s), a reference manual (i.e., development notebook) shall be submitted for approval to the Planning Department which shall include plot plans for each lot in the project, depicting all dimensions, easements, setbacks, height limits and other restrictions which might affect the construction of structures on said lot and in the case of a PD subdivision, the permitted building space ratio per Zoning Ordinance Section 17.54.100.A.2.e. No Building Permits may be issued for the project until this manual is provided to and accepted by the DRC for format and content requirements. (PD).

97. Other than approved entry features, solid walls, solid wood fencing, and any other solid features are prohibited along the Olive Ranch Road frontage. Solid walls, fencing, and arbors not to exceed five (5) feet in height and not to exceed 35% of the lot width, are permitted within the 50 foot setback area, but not within the 25-foot landscape easement along the Berg Street road frontages (Lots 1, 8, 9, 24, 25, and 32). ~~Other than approved entry features, solid walls, solid wood fencing, and any other solid features are prohibited along the Berg Street and Olive Ranch Road frontages.~~ Open fencing (i.e., wrought iron) is allowed, subject to review and approval by the DRC.

MITIGATION MONITORING

98. MM A Mitigation Monitoring Implementation Program (MMIP) for the replacement of native oaks and other trees, prepared by an ISA certified arborist, Registered Forester, or Landscape Architect, shall be submitted to the Planning Department, prior to the submittal of the project's Improvement Plans for review and approval by the DRC. Said plan shall provide for native trees to be planted by the project developer within Common Area Lots and any other areas determined appropriate by the DRC. The specific number of trees shall be determined during the Improvement Plan process. The Plan shall include a site plan that indicates the trees' location, installation and irrigation requirements and other standards to ensure the successful planting and continued growth of these trees.

Installation of all trees and irrigation systems must be completed prior to the County's acceptance of the subdivision's improvements. Access rights for monitoring and maintenance, if necessary, shall be provided to the homeowners' association.

JUNE 2005 – BOS

MARCH 2008 – PC

MAY 2015 PC

An annual monitoring report for a minimum period of 5 years from the date of installation, prepared by the above-cited professional, shall be submitted to the DRC for review and approval. Any corrective action shall be the responsibility of the homeowners' association.

Prior to the approval of the Improvement Plans, a Letter of Credit or cash deposit in the amount of 125% of the accepted proposal shall be deposited with the Placer County Planning Department to assure on-going performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC prior to the approval of Improvement Plans. For the purposes of administrative and program review by Placer County, 25% of the amount deposited shall be retained by the county. 100% of the estimated costs of implementing the monitoring program shall be returned to the applicant once the applicant has demonstrated that all 5 years of monitoring has been completed to the satisfaction of the DRC. Refunds will only be available at the end of the entire review period.

It is the applicant's responsibility to ensure compliance with the MMIP. Violation of any components of the approved MMIP may result in enforcement activities per Placer County Environmental Review Ordinance, Article 18.28.080 (formerly Section 31.870). If a monitoring report is not submitted for any one year, or combination of years, as outlined in these conditions, the county has the option of utilizing these funds and hiring a consultant to implement the MMIP. Failure to submit annual monitoring reports could also result in forfeiture of a portion of, or all of, the deposit. An agreement between the applicant and County shall be prepared which meets DRC approval that allows the County use of this deposit to assure performance of the MMIP in the event the homeowners' association reneges (SR/CR) (PD)

ADVISORY COMMENT: Off site tree impacts may be mitigated and monitored within Open Space lots, as deemed appropriate by the DRC.

AFFORDABLE HOUSING

99. Based on the Board of Supervisors decision to participate in SACOG's region-wide affordable housing program, the applicant shall construct 10% of the dwelling units, within the boundary of the project which are affordable to very low, low and moderate-income households. 4% of the units shall be affordable to very low income households, 4% shall be affordable to low income households, and 2% of the units shall be affordable to moderate income households (any fraction resulting from the 10% requirement shall be rounded up to the next whole number). NOTE: If the required number of units for each household is not a whole number, the applicant may propose to the DRC for review and approval any "rounded-off" combination of the units which will satisfy the 10% requirement

The applicant shall identify the lots that will satisfy the inclusionary requirement prior to the recording of the final map. These dwelling units shall be constructed concurrently with the market-rate units. All such units shall remain affordable to very low, low, or moderate-income households for a minimum of 30 years. Evidence which guarantees affordability shall be provided to, reviewed, and

JUNE 2005 – BOS
MARCH 2008 – PC
MAY 2015 PC

approved by the County prior to the initiation of construction of the first dwelling unit within the project.

OR, as an alternative to this requirement, pursuant to Program 19 of the County-wide Housing Element, the applicant may select one of the following options:

A) The applicant shall construct 12% of the dwelling units within the boundaries of the project, which are to be affordable to low and moderate income households. 40% of the inclusionary units shall be affordable to low-income households and 60% of the inclusionary units shall be affordable to moderate-income households. Or,

B) Residential projects comprising less than 50 lots may elect to pay an in-lieu affordable housing fee in an amount equal to the fee to be recommended by the County's affordable housing consultant for the affordable housing gap analysis, not to exceed \$40,000 per inclusionary unit.

AIR POLLUTION

100. The applicant shall submit to the District and receive approval of a Construction Emission / Dust Control Plan prior to groundbreaking.

101. Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations.

102. No open burning of removed vegetation during infrastructure improvements. Vegetative material should be chipped or delivered to waste to energy facilities.

103. An operational water truck shall be onsite at all times. Apply water to control dust as needed to prevent dust impacts offsite.

104. Minimize idling time to 5 minutes for all diesel-powered equipments.

105. Suspend all grading operations when fugitive dusts exceed District Rule 228 Fugitive Dust limitations.

106. Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less.

107. Use California diesel fuel for mobile and stationary construction equipment.

JUNE 2005 – BOS
MARCH 2008 – PC
MAY 2015 PC

108. The applicant shall use existing power sources (e.g., power poles) or clean fuel generators rather than temporary diesel power generators. If diesel powered generators greater than 50 horsepower are going to be used, a District Permit to Operate is required.

109. Use of low VOC coatings per District Rule 218 Architectural Coatings.

110. Install low nitrogen oxides (NOx) emission hot-water heater.

111. Open burning shall be prohibited through CC&Rs on all lots.

112. Install a natural gas outlet in the rear of each residence for use with outdoor cooking appliances, such as a gas barbecue.

113. Only U.S. EPA Phase II certified wood-burning devices can be installed in single-family residences. Masonry fireplaces must have installed UL listed natural gas fire-boxes or be certified to EPA Phase II emission standards. The emission potential from each residence shall not exceed 7.5 grams per hour

EXERCISE OF PERMIT

114. The applicant shall have 36 months to exercise this Tentative Map. Unless exercised, this approval shall expire on June 14, 2008. **(SR/CR) (PD)**

This Tentative Map extension shall remain effective for 24 months from the original expiration date and shall expire on June 14, 2010, unless exercised before that date.

JUNE 2005 – BOS
MARCH 2008 – PC
MAY 2015 PC